

# WEBB COUNTY, TEXAS COMMISSIONERS COURT AGENDA

LOUIS H. BRUNI Webb County Judge (956) 523-4600

FRANK SCIARAFFA Commissioner, Precinct 1 (956) 523-4660

JUDITH G. GUTIERREZ Commissioner, Precinct 2 (956) 523-4624

JERRY GARZA Commissioner, Precinct 3 (956) 523-4625

CINDY CORTEZ BRUNNER Commissioner, Precinct 4 (956) 523-4652

MARGIE IBARRA Webb County Clerk (956) 523-4251

HOMERO RAMIREZ Webb County Attorney (956) 523-4044

LEO FLORES Webb County Auditor (956) 523-4016

DELIA PERALES WEBB COUNTY TREASURER (956)523-4051

## **PUBLIC NOTICE**

COMMISSIONERS COURT MEETING
Webb County Courthouse
1000 Houston Street, 2<sup>ND</sup> Floor
Laredo, Texas 78040
APRIL 25, 2005 1:00 p.m. and continuing
APRIL 26, 2005
1:00 p.m.

- 1. Call to order by the Honorable County Judge, Louis H. Bruni
- 2. Roll call by the Honorable County Clerk, Margie Ibarra
- 3. Pledge of Allegiance
- 4. Approval of Minutes for March 29, 2005
- 5. Approval of Bills, Payroll and Monthly Reports
- 6. Communications
- 7. Public Comment- This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

#### COURT TO DISCUSS AND ACT ON THE FOLLOWING:

## **HONORABLE LOUIS H. BRUNI, WEBB COUNTY JUDGE**

- **8.** Status report on Youth Village project land acquisition, determination of project timetables, any other matters incident thereto, with discussion and possible action to direct staff to take measures as necessary to keep the project on schedule.
- **9.** Proclamation: April 24 through May 1, 2005 as "Soil and Water Stewardship Week."
- **10.** Discussion and possible action to transfer slot #2230, including funds, from department #2070 (Medical Examiner and Morgue), and slot #2247, including funds, from department #0120 (Human Resources) to department #2500 (Constable Precinct 1), in order to implement a K-9 unit, and any other matters incident thereto.
- 11. Discussion and possible action to retain the services of Watts Law Firm to pursue any and all surface damages and/or other monies owed and arising out of oil and gas well leases on Webb County School Lands, and to research and pursue any monies owed to Webb County for any oil/gas wells on Webb County soil, and any other matters incident thereto.
- **12.** Discussion and possible action to retain the services of R.W. Harden and Associates to drill a water-well for Webb County on the Carrizo Wilcox Aquifer.
- 13. Discussion and possible action to declare an exception to the competitive bidding process and direct the purchase of a new radio antenna to replace that presently located 21.5 miles N. 83, and for the purchase of attendant equipment necessary for its proper function, and any other matters incident thereto.
- **14.** Discussion and possible action to appoint Mr. Robert Martinez, Jr. as Interim Director of the Webb County Community Action Agency.
- **15.** Discussion and possible action to appointment Fernando Garcia Jr.,to the Rural Rail District Committee.

# HONORABLE JUDITH G. GUTIERREZ, COMMISSIONER PRECINCT 2

- **16.** Discussion and possible action to fill position 0899, Larga Vista Community Center Director at an annual salary not to exceed \$30,728.
- **17.** Discussion and possible action to increase mileage amount rate from .37/mile to .50/mile.
- **18.** Discussion and possible action to allocate \$75,000 for Joint Park Development Project with the City of Laredo. These Precinct 2 funds will be appropriated from Fund 678, Park Development, Series 2001, Fund 695, Park Development, Series 2002 and Fund 658, Park Development, Series 2003.

#### **HONORABLE JERRY GARZA PRECINCT 3**

- **19.** Discussion and possible action to approve a line item transfer from Park Development Pct. 3 Acct. No. 695-6004-8710-3 for \$4,507.70 to Capital Outlay Series 2002 Acct. No. 696-1120-8801 to purchase (2) laptops for Justice of the Peace Oscar O. Martinez's office.
- **20.** Discussion and possible action to approve a line item transfer from Park Development Pct. 3 Acct. No. 695-6004-8710-3 for \$4,375.00 to Capital Outlay Series 2002 Acct. No. 696-1120-8801 to purchase (5) computers for the Webb County Extension Office.
- 21. Discussion and possible action to approve a line item transfer from Park Development Pct. 3 Acct. No. 695-6004-8710-3 for \$8,023.00 to Capital Outlay Series 2002 Acct. No. 696-1120-8801 to purchase a video camera and 2 computers to use as back-up for audio system in commissioners court.
- **22.** Presentation by Mr. Juan Vargas, Economic Development Director on the proposed bird sanctuary.
- **23.** Staff report by MIS Department on employee training and professional development in technology, and software applications, with possible action.

#### **HONORABLE CINDY CORTEZ BRUNNER PRECINCT 4**

- **24.** Discussion and possible action to approve a five (5) year lease with the City of Laredo to lease approximately 2,700 square feet of land located at the La Ladrillera Neighborhood Center for the placement of a modular building to serve as a food pantry/office, and authorizing the County Judge to execute all relevant documents.
- 25. Discussion and possible action to approve an Intergovernmental Cooperation Agreement with the City of Laredo by providing financial assistance in the amount not to exceed ONE HUNDRED THOUSAND DOLLARS (\$100,000) to be expended from Fund 695 (County Park Development Series 2002) and Fund 658 (County Park Development Series 2003) towards the improvement of city parks (lighting of baseball field at Father McNaboe Park and playground module for the Noon Lions Park), as well as entering into a lease agreement for approximately 2,700 square feet for placement of a modular building at La Ladrillera Recreation Center, and authorizing the County Judge to execute all relevant documents. [Requested by Webb County Commissioner Precinct 4, Cynthia Brunner (Account No. 695-6004-8710-4 and 658-8103-8710-4)].
- **26.** Action to appoint Mr. Ramiro Barrera, III to the Webb County Rural Rail District Board of Directors.

MEDIA BREAK

# <u>AUDITOR</u>

**27.** Discussion and possible action to transfer \$30,000.00 from the 49<sup>th</sup> Judicial District Court to Indigent Defense line item to the 406th Judicial District Court Indigent Defense line item.

FROM: 001-1001-7001 \$30,000 TO: 001-1004-7001 \$30,000

**28.** Presentation and action to accept the Audited Basic Financial Statements of Webb County for the Fiscal Year ended September 30, 3004 by Accounting Firm of Mejia & Co., Certified Public Accountants.

## **COMMUNITY ACTION AGENCY**

- 29. Discussion and possible action to fill slot #1217 (Driver) Meals on Wheels Program, Part-Time @ \$10.40/ hr., effective April 26, 2005. Funding comes from Meals on Wheels grant. No impact on General Fund
- **30.** Discussion and Possible Action on the ratification of the submission of application to City of Laredo, for Emergency Shelter Funds (ESG), for FY-2005-07, in the amount of ten thousand dollars (\$10,000.00).

### **CONSTABLE PRECINCT #2**

**31.** Discussion and possible action to approve the following line item transfer:

From: 001-2503-6402 Repairs & Maint. Equipment \$1,000.00

To: 001-2503-6204 Fuel & Lubricants

From: 001-2503-6402 Repairs & Maint. Equipment \$200.00

To: 001-2503-6205 Materials & Supplies

From: 001-2503-6403 Repairs & Maint. Vehicles \$250.00

To: 001-2503-6202 Uniforms

## **COUNTY ATTORNEY**

- 32. Discussion and possible action to enter into one (1) year (May 1, 2005 through April 30, 2006) rural transportation federal fund grant agreement (No. 51522F7187) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts a grant amount not to exceed TWENTY-NINE THOUSAND SEVEN HUNDRED AND THIRTY-THREE DOLLARS (\$29,733.00) for the "El Aguila" rural transportation program and authorizing the Webb County Judge to execute all relevant documents. This Grant will be used for preventive maintenance expenses. [Requested by Webb County CAA, "El Aguila" Rural Transportation]
- 33. Discussion and possible action to enter into a Memorandum of Understanding with the City of Laredo concerning the 2005 Byrne Justice Assistance Grant (JAG) Program and authorizing the County Judge to sign all relevant documents. The City and County will be jointly submitting an application for grant funding under the Byrne Justice Assistance Grant ("JAG") program. [Requested by the Webb County Sheriff's Department]

- 34. Discussion and possible action to enter into a one (1) year (February 1, 2005 through January 31, 2006) maintenance agreement with ThyssenKrupp for the maintenance of two (2) ThyssenKrupp Elevators located at the Webb County Administration Building at an annual cost of THREE THOUSAND SIX HUNDRED DOLLARS (\$3,600.00), seeking a discretionary exemption to the competitive bidding statute (Local Gov't Code section 262.024(a)(7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Facilities Director, Account 001-0106-6401 (Repairs and Maintenance Buildings)]
- 35. Discussion and possible action to enter into a one (1) year (March 15, 2005 through March 14, 2004) maintenance agreement with ThyssenKrupp for the maintenance of one (1) Dover Elevator located at the Webb County Courthouse at an annual cost of ONE THOUSAND NINE HUNDRED AND TWENTY DOLLARS (\$1,920.00), seeking a discretionary exemption to the competitive bidding statute (Local Gov't Code section 262.024(a)(7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Facilities Director, Account 001-0106-6401 (Repairs and Maintenance Buildings)]
- 36. Discussion and possible action to enter into a one (1) year (March 15, 2005 through March 14, 2006) maintenance agreement with ThyssenKrupp for the maintenance of five (5) Dover Elevators located at the Webb County Justice Center at an annual cost of NINE THOUSAND SIX HUNDRED DOLLARS (\$9,600.00), seeking a discretionary exemption to the competitive bidding statute (Local Gov't Code section 262.024(a)(7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Facilities Director, Account 001-0106-6401 (Repairs and Maintenance Buildings)]
- 37. Discussion and possible action to order an exemption from competitive bidding requirements pursuant to Section 262.024 (a) (c) of the Local Government Code and enter into natural gas supply contract for a five year period with Proviron, Inc. for the Webb County Water and Wastewater Facilities located in Rio Bravo, Texas and authorizing the County Judge to sign all relevant documents.

- 38. Discussion and possible action to enter into a lease agreement pursuant to Section 292.001 of the Local Government Code with the United States Department of Agriculture Farm Service Agency for an approximate 2050 sq. ft. of office space at the County Agriculture Building (7209 E. Saunders) being Suites 6 & 7 at an annual rent of \$18,450.00 for a five (5) year period and any matters incident thereto and authorizing the County Judge to sign all relevant documents.
- **39.** Discussion and possible action to amend the March 29, 2005, Court approval of the contract amounts of the Border Colonia Access Program Paving and Storm Drainage Projects with the State of Texas, Texas Department of Transportation to:

\$377,035.00	Ranchitos 359	(TWDB ID# M2400039)	
\$1,127,320.00	Penitas	(TWDB ID# M2400048)	
\$1,442,002.00	San Carlos 1& 2	(TWDB ID# M2400051 &	
		TWDB ID# M240052)	
\$569,306.00	Los Altos	(TWDB ID# M2400024)	
\$423,786.00	Old Milwaukee East & West		
	(TWDB ID# M240	0034 & TWDB ID# M240035)	
\$1,230,015.00	Tanquesitos 1 &	2	
(TWDB ID# M2400054 &	TWDB ID# M2400	060)	

\$241,083.00 D-5 Acres (TWDB ID# 2400009)

and any matters incident thereto and authorizing the County Judge to sign all relevant documents.

#### COUNTY TAX ASSESSOR COLLECTOR

**40.** Discussion and possible action to approve the following refund:

Mobile Prod TX & NM inc., c/o Ad Valorem Tax Dept PO Box 53, Houston, TX 77001-0053 Acct. # 99000003-5676000-0 Reason: Protest 2004-11146 Determined on 03/17/05 for 2004

Total Refund: \$9,270.75

## **DISTRICT ATTORNEY**

**41.** Discussion and possible action to approve the following line item transfer:

From: Repair & Maintenance Acct. #001-1100-6402 \$2,000.00 To: Fuel & Lubricants Acct. #001-1100-6204 \$2,000.00

#### **ECONOMIC DEVELOPMENT**

- **42.** Discussion and possible action to solicit Engineering proposals for Engineering Services associated with the development of the Vela Tract Project. Funded by a grant from the Office of Rural Community Affairs.
- **43.** Discussion and possible action to approve a Resolution authorizing the following County Officials; Honorable Louis H. Bruni, Honorable Frank Sciaraffa, and Honorable Jerry Garza to be designated as Authorized Signatories for the Office of Rural Community Affairs, Texas Community Development Program for the Vela Tract Project.

# **ELECTIONS**

**44.** Discussion and possible action to approve a Resolution and Order modifying Webb County voting precincts to comply with the Texas Election Code, and any other matters incident thereto.

# **ENGINEER**

**45.** Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to advertise for bids for the TXDOT Border Colonias Access Program El Cenizo Paving and Storm Drainage Project.

**46.** Discussion and Possible Action Authorizing Amendment No. 1 to Foster Engineering Increasing the Contract by \$39,950.00. The increase is due to additional engineering required for the TXDOT Border Colonias Access Program Rio Bravo Paving and Storm Drainage Phase I Project.

## **PLANNING**

- 47. Discussion and possible action to issue "Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities" pursuant to the provisions of Section 232.028 (a) and (b), Texas Local Government Code to authorize sewer service connections to those lots with one (1) dwelling located within the Bruni Subdivision that are to be served by the Bruni Rural Water Supply Corporation's (BRWSC) Sewer Project. Said lots are further identified in the attached agenda backup. (Note: Those sewer connections proposed to lots containing multiple dwellings will be addressed at a future date under a separate certification after completion of regulatory review by Planning Staff)
- **48.** Discussion and possible action to issue "Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties.

Connection(s) qualifying under Section 232.029 (c)(1): An unplatted 10 acre tract of land, more or less, being the South ½ of Lots 3 and 4, Ranchitos Las Lomas Subdivision (electricity – one dwelling only);

# **PURCHASING**

- **49.** Discussion and possible action dispose of playground equipment, office equipment and two (2) refrigerators for the Head Start Program as per Section 263.151 Disposition of Salvage of Property.
- **50.** Discussion and possible action to obtain the services of SBC in the amount of \$9,500.00 for equipment and installation of telephone & voice processing system for the Laredo Multi-Agency Narcotics Task Force.
- 51. Discussion and possible action to award/reject the following:

P2005-56- 2005- 57"Neighborhood Housing Rehabilitation Program in El Cenizo" P-2005-05 "Boys and Girls Club for City of Rio Bravo, Texas" P-2005-06 "Casa Blanca Golf Course Improvements"

**52.** Discussion and possible action to solicit bids for the El Cenizo Street Paving Project-Phase I for the County Engineer's Department.

- **53.** Discussion and possible action to purchase bath/bedding supplies from Bob Barker in the amount of \$5,332.30 for the Sheriff's department.
- **54.** Discussion and possible action to display a desk manufactured by 114 Toledo D & F Co. 1906 with Tag No. 19532, for the Veterans Museum to maintain and care for said desk for the duration set forth by the Commissioners Court.
- **55.** Discussion and possible action to award/reject the following: Bid 2005-55 "Rio Bravo Storm Drainage Project Phase II."
- **56.** Discussion and possible action to award the architectural/engineer Professional Service contract for the construction of a Boys and Girls club in Rio Bravo, Texas.
- **57.** Discussion and possible action for the Commissioners Court to award/reject the following bids for the CAA-Weatherization Program and CEAP program to the following vendors:

Bid No. 2005-49 Weatherization Contractors for Labor & Materials

Primary- Juan Rodriguez Secondary-AA Builders

Bid No. 2005-50 Weatherization Contractors for Attic &Wall Insulation

**Primary-Border Insulation** 

Bid No. 2005-51 Window A/C Units, Space Heaters & Refrigerators

Primary-Juan Rodriguez

Bid No. 2005-52 Water Heaters

**Primary-AA Builders** 

Secondary-City Plumbing

Bid No. 2005-53 Central Heating/Cooling Units (HVAC)

Primary-AA Builder

## **SHERIFF**

- 58. Discussion and possible action to approve the submission of a grant application to the Texas Comptroller of Public Accounts for the Texas STEP Grant Program for on-site compliance inspections of tobacco retailers, compliance education of retailers, and monthly/quarterly activity reports to Comptroller or Comptroller's designee. This grant requires no match and thus is at no cost to the county.
- **59.** Discussion and possible action to approve the submission of a grant application to the U.S. Department of Homeland Security for the Commercial Equipment Direct Assistance Program (CEDAP) for a night vision kit. This grant requires no match and thus is at no cost to the county.
- **60.** Discussion and possible action to approve the submission of a grant application to the Counter-drug Technology Assessment Center (CTAC) for the Technology Transfer Program for a Thermal-Eye. This grant requires no match and thus is at no cost to the county.
- **61.** Discussion and possible action to approve that the Webb County Sheriff's Department enter into an agreement with the Texas Department of Transportation for a Click or Ticket campaign during the Memorial Day weekend holiday campaign specifically for overtime enforcement of occupant protection and speeding in the amount of \$8,000.

# **TREASURER**

- **62.** Discussion and possible action to file the FY 2005 Webb County Investment Policy.
- 63. Discussion and possible action to authorize the publication of a bid opening for Webb County bank depository contract for a period of 2 or 4 years, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTIONS 116.021 (a), 117.021 (a).

# **EXECUTIVE SESSION**

64. Discussion and possible action to designate an Interim Co-Director of the Office of Webb County Public Defender, and to instruct Mr. Montemayor to lend the co-director assistance as necessary to ensure a smooth transition. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

- 65. Discussion and possible action regarding settlement offer in Cause No. 2004CVQ001309-D2 Xavier Cantu vs. Webb County Appraisal District, Webb County Review Board and Sergio Delgado Chief Appraiser, United Independent School District, Webb County, Texas, and City of Laredo, Laredo Community College, in the 111<sup>th</sup> Judicial District Court of Webb County, Texas and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- 66. Discussion and possible action to make financial provision for the hiring of temporary employees to perform duties of County employees who are called to active duty in the armed forces of the United States and who continue to be paid in accordance with the salary continuation policy adopted at the November 22, 2004 meeting of the Webb County Commissioners Court and clarified at the meeting of December 13, 2004. The Commissioners Court may meet in closed session pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters).
- 67. Discussion and possible action to adopt a revised County Policy for Drug, Alcohol, and Other Prohibited Substances. Closed session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).
- **68.** Discussion and possible action to address disputes arising from the licensing agreement between Webb County and Laredo International Fair & Exposition, a purported lease agreement between Laredo International Fair & Exposition and Gilbert Texas Construction, L.P., and the use of County-owned land by Gilbert Texas Construction. L.P.
  - [Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- **69.** Adjournment

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

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<b>5</b> DISABILI	TY ACCESS	SSTATEM	IENT 🕏

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

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DATED THIS	DAY OF APRIL	., 2005.		
By: YOLANDA L. C COURT ADMIN	ARRILLO IISTRATOR			
CE	ERTIFICATION OF	NOTICE AND I	<u>POSTING</u>	
meeting of the Well of said notice, and bulletin board at the readily accessible,	bb County Commis that I posted a true e Courthouse door to the general publi	ssioners Court, is and correct co of Webb Count ic at all times or ce remained so	nat the above notice is a true and correct opy of said notice on ty, Texas, at a place of the day of posted continuously id meeting.	copy the
DATED THIS	DAY OF		, 2005	
COUNTY CLERK,	WEBB COUNTY,	TEXAS		